

California Department of Insurance

Fraud Division

August 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

August 2010 Workers' Compensation Fraud Convictions

CDI Case Name: Yucaipa Tire Store

CDI Case Number: 10HW002741

County: San Bernardino

Defendant: David Agleh

City/County of Residence: Yucaipa/San Bernardino

Conviction Date: 08/12/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$370 Civil Fine(\$200 Suspended), \$10,000 Criminal Fine (\$8,000 Suspended)

Case Number: BA369503

County: Los Angeles

Defendant: Moti Benhaim

City/County of Residence: Not available at this time

Conviction Date: 08/19/10

Offense: 1 Count of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$118,476.29

Sentence: 120 Days Cal Trans, 3 Years Formal Probation, \$118,476.29 Restitution (The defendant, in open court, tenders a check to the People for the victim restitution ordered), \$200 Civil Fine

CDI Case Number: 06EW007237

County: San Diego

Defendant: Philippe P. Berteaux

City/County of Residence: El Cajon/San Diego

Conviction Date: 08/02/10

Offense: 2 Counts of IC 1871.4(a) (False Claim)

Amount Allegedly Defrauded: \$102,334

Sentence: 180 Days County Jail (Stayed Pending Successful Completion of Probation), 3 Years Formal Probation, TBD Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 09GW002672

County: Monterey

Defendant: Roberta Goulding Brunet

City/County of Residence: Marina/Monterey

Conviction Date: 08/03/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$5, 233.19 Restitution, \$100 Civil Fine, \$10,000 Criminal Fine (\$5,000 Suspended during the term of Probation)

Case Number: 2010024302 MA

County: Ventura

Defendant: California Auto Plus & Smog Shop

City/County of Residence: Ventura/Ventura

Conviction Date: 08/12/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed)

Case Number: 2010025074 MA

County: Ventura

Defendant: Charline's Urban Tapas

City/County of Residence: Oxnard/Ventura

Conviction Date: 08/12/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 09BW014344

County: Alameda

Defendant: Alez Chavez

City/County of Residence: Sunnyville/Santa Clara

Conviction Date: 08/18/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$6,000

Sentence: 5 Days County Jail, 5 Years Formal Probation, \$6,000 Restitution (It's agreed that Restitution would be deemed paid in full in exchange for the signed dismissal of defendant's Workers' Compensation Case. Defendant signed dismissal in the presence of the court) , \$200 Civil Fine, \$250 Probation Investigation Fee

Case Number: TCM239477

County: Tulare

Defendant: Michael Dean Cunningham

City/County of Residence: Visalia/Tulare

Conviction Date: 08/09/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$4,040 Criminal Fine

CDI Case Number: 08EW012765

County: San Diego

Defendant: Maricel Ferrer (aka Sayaman)

City/County of Residence: Chula Vista/San Diego

Conviction Date: 08/09/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: TBD

Sentence: 180 Days County Jail (Stayed Pending Successful Completion of Probation), 20 Days Community Service, 5 Years Summary Probation, TBD Restitution, \$200 Civil Fine, \$800 Criminal Fine

CDI Case Number: 10HW011101

County: San Bernardino

Defendant: Ralph Eugene Good

City/County of Residence: Yucaipa/San Bernardino

Conviction Date: 08/30/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Conditional Probation, \$3,000 Restitution, \$110 Civil Fine, \$10,000 Criminal Fine (\$7,000 Suspended)

CDI Case Name: Marina Tire & Auto Repair

CDI Case Number: 10GW013096

County: Monterey

Defendant: Anthony Herren

City/County of Residence: Marina/Monterey

Conviction Date: 08/03/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,500 suspended upon successful completion of probation)

Case Number: BA239839

County: Los Angeles

Defendant: Filipe Iniguez

City/County of Residence: Not available at this time

Conviction Date: 08/30/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$5,000

Sentence: 1 Day Summary Probation, \$5,000 Restitution (Paid In Full), \$100 Civil Fine

CDI Case Name: The Carmel Guild
CDI Case Number: 10GW010761
County: Monterey
Defendant: James Howard Johnston
City/County of Residence: Carmel/Monterey
Conviction Date: 08/03/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$7,840 Suspended)

CDI Case Name: T & M Fabrication, Inc.
CDI Case Number: 10GW013121
County: Monterey
Defendant: Tony Mata
City/County of Residence: Salinas/Monterey
Conviction Date: 08/03/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$7,840 suspended)

CDI Case Name: Sunset Tree Service
CDI Case Number: 10GW001836
County: San Mateo
Defendant: Mike Megerdich Melkonian
City/County of Residence: San Francisco/San Francisco
Conviction Date: 08/24/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 2 Years Court Probation, \$110 Civil Fine, \$1,000 Criminal Fine

CDI Case Name: Tri-Star Welding
CDI Case Number: 10GW012863
County: Monterey
Defendant: Jaime Mora, Sr.
City/County of Residence: Salinas/Monterey
Conviction Date: 08/03/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,500 suspended upon successful completion of probation)

CDI Case Name: Marina Tire & Auto Repair
CDI Case Number: 10GW013096
County: Monterey
Defendant: Danny Ngo
City/County of Residence: Marina/Monterey
Conviction Date: 08/03/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,500 suspended upon successful completion of probation)

CDI Case Number: 08FW022782
County: Kings
Defendant: Carl John Ramos
City/County of Residence: Visalia/Tulare
Conviction Date: 08/27/10
Offense: 4 Counts of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)
Amount Allegedly Defrauded: \$31,087.82
Sentence: 1 Days County Jail, 5 Years Probation, \$31,087.82 Restitution, \$100 Civil Fine, \$100 Criminal Fine

CDI Case Number: 07GW008156
County: San Mateo
Defendant: Antone Costa Rita, Jr.
City/County of Residence: Milpitas/Santa Clara
Conviction Date: 08/05/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)
Amount Allegedly Defrauded: \$20,198.25
Sentence: 30 Days County Jail, 150 Hours Community Service by 02/07/2011, 3 Years Court Probation (Modified to Supervised Probation until 11/05/2015), \$20,198.25 Restitution, \$110 Civil Fine

CDI Case Number: 07FW010811
County: Kern
Defendant: Miles Peter Salinas
City/County of Residence: Bakersfield/Kern
Conviction Date: 08/17/10
Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim) (Misdemeanor); 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: \$14,848.16
Sentence: 180 Days County Jail (Stayed Until; 11/29/2010), 500 Hours Community Service (To Be Completed by 09/28/2011), \$100 Civil Fine

Case Number: TCM235397

County: Tulare

Defendant: Richard Lee Springs

City/County of Residence: Porterville/Tulare

Conviction Date: 08/25/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine (\$8,500 Suspended)

CDI Case Name: Los Huaraches Taqueria

CDI Case Number: 10GW013098

County: Monterey

Defendant: Jose Felix Valencia

City/County of Residence: Marina/Monterey

Conviction Date: 08/03/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$8,500 suspended upon successful completion of probation)